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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,169	07/21/2003	Shuji Imai	35919	6364

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EXAMINER

PELHAM, JOSEPH MOORE

ART UNIT	PAPER NUMBER
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3742

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/624,169	Applicant(s) IMAI ET AL.	
	Examiner Joseph M Pelham	Art Unit 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                                              |                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/21/03</u> . | 6) <input type="checkbox"/> Other: ____.                                                |

***Claim Rejections - 35 USC § 112***

Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claim language presently uses somewhat awkward English, so that the scope of the claims is unclear. The claims should be rewritten in colloquial English.

***Claim Rejections - 35 USC § 103***

Claims 1-3, 5-8, 13-16, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. 4880952 (US'952) in view of U.S. Pat. 4460630 (US'630)

Referring to Fig. 9, and col. 4, lines 15-20 especially, US'952 discloses a top steel plate 36, conventionally and hence inherently stainless, with heater 29, self-cleaning 40 and enamel 39 layers, the latter conventionally a porcelain enamel. US'952 does not explicitly disclose a back side heater plate, a porcelain enamel glaze containing a frit with Al, Fe, Ni, Cu, Cr, Ag, Bronze, or Ti, or a metal oxide catalyst.

US'630 discloses, at Figs. 1-3, col. 5, line 54, through col. 6, line 25, and col. 7, lines 50-60, discloses a porcelain enamel glaze 2, 2' containing a frit with Al and/or Ti, and a metal oxide catalyst layer. It would have been obvious to utilize the layer structure of US'630 in the oven of US'952, since US'630 teaches such to enhance durability.

Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over US'962 in view of US'630, as applied to claims 1-3, 5-8, 13-16, and 18 above, and further in view of U.S. Pat. 6429161 (US'161).

The claims differ from US'962 in view of US'630 only in calling for a single layer combining the recited components. However, US'161, at Col. 1, line 32, through col. 2, lines 31, a single self-cleaning layer combining frit and metal components. It would have been obvious to combine the self-cleaning components of US'962 in view of US'630 in a single layer to simplify production.

Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over US'962 in view of US'630 and US'161, as applied to claims 1-8 and 13-18 above, and further in view of U.S. Pat. 4283614 (US'614).

The claims differ from US'962 in view of US'630 and US'161 in calling for a perforated back "collection plate" and fan, with fluorine resin or the previously recited catalyst coating.

Referring to Fig. 1 and col. 6, line 57, through col. 7, line 3, US'614 discloses a removable perforated back "collection plate" and fan, with the previously recited catalyst coating. It would have been obvious to adapt the back plate and fan of US'614 to the oven of US'962 in view of US'630 and US'161 to enhance heating uniformity and remove oily accumulations. Moreover, it has long been well known to use a removable fan cover plate, a modification rendered obvious by the need for convenient cleaning.

### **Conclusion**

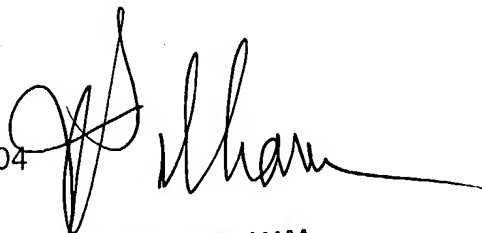
***The Examiner urges Applicants to review the prior art cited but not applied when responding to this Office action.***

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph M Pelham whose telephone number is 703-308-1709. The examiner can normally be reached on M-F 7:30 AM to 4:00 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9/6/04   
JOSEPH PELHAM  
PRIMARY EXAMINER